

28784

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/806,704
Filing Date	06/27/2001
First Named Inventor	DIETER PALME
Group Art Unit	2878
Examiner Name	Stephen K. Yam
Attorney <del>Do Not Fill</del> Number	7372 US

Total Number of Pages in This Submission **55**

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
  - ☐ Fee Attached
- ☒ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Attachments 1, 2, 3, & 4  
Return Post Card

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Francis I. Gray, TEKTRONIX, INC.

Signature

Date

11/22/2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

11/22/2002

Typed or printed name

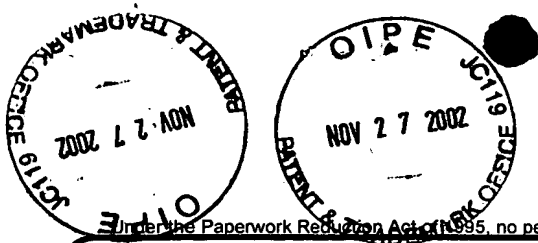
Pauline L. Bradley

Signature

Date

11/22/2002

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PTO/SB/17 (10-01)  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 370.00

## Complete if Known

Application Number 09/806,704  
Filing Date 06/27/2001  
First Named Inventor DIETER PALME  
Examiner Name Stephen K. Yam  
Group Art Unit 2878  
Attorney Docket No. 7372 US

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 20-0352  
Deposit Account Name TEKTRONIX, INC.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
25	-20** = 5	18.00	90.00
2	-3** = 0		
Multiple Dependent		280.00	280.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 370.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

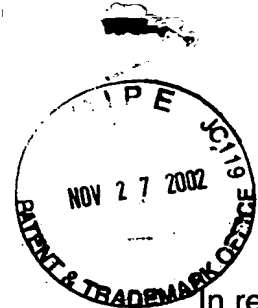
SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Francis I. Gray	27,788	503-627-7261
Signature	Date	11/22/2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **DIETER PALME and ADALBERT BANDEMER**

Serial No.: **09/806,704**

Art Unit: **2878**

Filed: **June 27, 2001**

Examiner: **Stephen K. Yam**

For: **SYSTEM AND METHOD FOR MONITORING THE PERFORMANCE OF DENSE WAVELENGTH DIVISION MULTIPLEXING OPTICAL COMMUNICATIONS SYSTEM**

Commissioner for Patents  
Washington, D.C. 20231

November 19, 2002

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**AMENDMENT**

Dear Sir:

In response to the Office Action dated August 29, 2002 please amend the above-identified application as follows.

**In the Drawing**

Please replace Figs. 1-3 and 6-8 with new drawing Figs. 1-3 and 6-8 as shown in Attachment 1. The new drawing Figs. 1-3 and 6-8 include labels for the boxes as requested by the Examiner in Paragraph 1 of the Office Action and correct a numeric identifier by changing "30" to -32--.

**In the Specification**

Please replace the specification as marked up in Attachment 2 with the new, clean version provided as Attachment 3. The new specification corrects the Abstract of the Disclosure and provides the section headings, as requested by the Examiner in Paragraph 2 of the Office Action, as well as making minor editorial, grammatical and typographical corrections without adding any new matter.

11/29/2002 JBALINAN 00000040 200352 09806704

01 FC:1202 90.00 CH  
02 FC:1203 280.00 CH